

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

WILLIAM BOYD PIERCE, #1208957

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V.

BRYAN COLLIER, ET AL.,

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Defendants.

CIVIL ACTION NO. 6:17-CV-632

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. On September 26, 2019, Judge Love issued a Report and Recommendation (Dkt. #38) recommending that Plaintiff's suit should be dismissed with prejudice. Specifically, Judge Love recommended that Plaintiff's claims be dismissed with prejudice for failure to state a claim for which relief can be granted. On October 9, 2019, Plaintiff filed objections to the Report and Recommendation. (Dkt. #40). The Court reviews *de novo* the portions of the Magistrate Judge's findings to which objections have been raised. 28 U.S.C. § 636 (b)(1).

As an initial matter, Plaintiff does not object to any specific finding of the Magistrate Judge. (Dkt. ##38, 40). Plaintiff does not identify any portion of Judge Love's Report to which he specifically objects. Plaintiff merely provides a factual recitation of his allegations and a general argument that his claims should not be dismissed. Frivolous, conclusory, or general objections need not be considered by the district court. *See Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th

Cir. 1982) (en banc), overruled on other grounds by *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (en banc); *see also Valez-Pedro v. Thermo King De Puerto Rico, Inc.*, 465 F.3d 31, 32 (1st Cir. 2006) (explaining that an objecting party must put forth more than “[c]onclusory allegations that do not direct the reviewing court to the issues in controversy.”).

The court has conducted a careful *de novo* review of the record and the Magistrate Judge’s proposed findings and recommendations. *See* 28 U.S.C. § 636(b)(1) (District Judge shall “make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.”). Upon such *de novo* review, the court has determined that Report of the United States Magistrate Judge is correct and Plaintiff’s objections are without merit. Because Plaintiff has not pleaded facts that state a cognizable federal claim, the court agrees with the Magistrate Judge that the complaint should be dismissed.

Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the court. It is accordingly

ORDERED that Plaintiff’s complaint is hereby **DISMISSED WITH PREJUDICE**. All motions not previously ruled on are **DENIED**.

So Ordered and Signed

Oct 12, 2019



Ron Clark, Senior District Judge